

REMARKS

Claims 1-10 and 12-15 have been cancelled, claim 11 has been amended and claims 16-18 have been added. Accordingly, claims 11 and 16-18 remain for the Examiner's further consideration.

Claim 11 as amended calls for a plurality of spaced-apart footings and a plurality of columns. A column support supports the columns on the footings and a roof structure is supported on the columns. The roof structure has a flat, generally horizontal, upwardly facing surface surrounded by a border frame. The upwardly facing surface and border frame define a pool for containing water to a depth of approximately one-inch or more. Water fills the pool to a depth of approximately one-inch or more. Nothing similar to this building structure is shown in the prior art or any reasonable combination thereof.

Bevacqua relates generally to building systems and to supports for columns in a building system, but does not disclose a roof structure having a flat, generally horizontal, upwardly facing surface surrounded by a border frame defining a pool for water, with water filling the pool.

Kaplan does not relate to a building structure, although it does describe an adjustable column support. Clearly there is nothing to suggest a pool with water filling the pool, on the roof structure of a building.

Hickman provides "an improved seal for the edge of a roof which will prevent water or gravel bitumen drippage down the face of the building." (see spec., col. 1, ll. 16-18). However, there is nothing in this patent to suggest that the patentee considers water on the roof deck to be desirable condition. It is quite obvious that water on the roof deck is an undesirable condition which would stain the face of the building if it were not for the water dam which is the subject matter of the invention.

In Applicant's construction, water on the roof deck is a highly essential feature of the invention. As stated in the application on page 2, beginning at line 14, "water is intended to be retained on this roof and by evaporation to have a cooling effect within the building and thereby reduce the load on air conditioning equipment in the building. A one-inch depth of water is sufficient for cooling by evaporation." As further stated on page 5 in the second full paragraph, "normally the pool 68 will be filled with approximately one-inch of water which cools the building by evaporation."

Clearly Hickman does not wish to have water on the roof of the building and certainly does not maintain a pool of one-inch or more of water on the roof, as Applicant does. The Hickman invention is for an aggregate roof which typically has drainage. Hickman provides a dam to prevent any water and/or bitumen from running down the face of the building. The presence of water in the case of Applicant's roof structure is to provide cooling by means of evaporation and reflection, something that is not even

remotely suggested in Hickman. The pool of water also provides sound attenuation and fire protection.

Unless more pertinent art can be found, it is believed that claim 11 as amended is allowable.

Claim 16 depends from claim 11 and states that the column support for each of the columns comprises a leveling plate. A plurality of bolts have lower portions embedded in, and upper portions projecting above, each of the fittings. First nuts are threaded on the upper portions of the bolts to support the plates, and second nuts also threaded on the upper portions of the bolts to clamp the plates down on the first nuts. These additional limitations serve to further distinguish from the prior art. In Bevacqua, the bolts do not appear to be embedded in the footings, and the plates are maintained in position by being threadedly connected to the bolts, rather than having nuts above and below the plates.

Claim 17 depends from claim 16 and states that the footings are placed around a floor area of the building, a sub-floor extends over the floor area, and a finished floor extends over the sub-floor. The sub-floor, before installation of the finished floor, is adapted to receive building and support materials and equipment useful in the construction of the building structure. These additional limitations serve to further distinguish from the prior art.

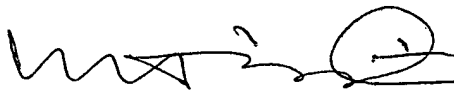
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Claim 18 depends from claim 17 and states that the sub-floor is substantially horizontal except for a peripheral marginal edge portion which slopes downwardly in a laterally outward direction. Nothing similar is shown in the prior art.

In view of the foregoing, this application is believed now to be in condition for allowance and such action is most respectfully requested.

Respectfully submitted,

REISING, ETHINGTON,
BARNES, KISSELLE, P.C.

A handwritten signature in black ink, appearing to read 'W. Griffith', with a large circular flourish at the end.

William H. Griffith
Registration No. 16,706
P.O. Box 4390
Troy, Michigan 48099
Phone: (248) 689-3500
Fax: (248) 689-4071

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